

12/05 3/031



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Dixie Resource Area
225 North Bluff Street
St. George, Utah 84770
(801) 673-4654



3809
UTU-67102
(UT-045)

12-16-93

December 16, 1993

RECEIVED

JAN 04 1994

CERTIFIED MAIL # P 881 935 409 - RETURN RECEIPT REQUESTED

DIVISION OF
OIL, GAS & MINING

DECISION

Mr. Ron Terry :
RonCon Properties, Inc.: Notice of Noncompliance
324 Vermillion Ave. :
St. George, UT 84770 :

Failure to submit a Plan of Operations for mining disturbance exceeding 5 acres in T. 42 S., R. 18 W., sec. 30 and 31, and T. 42 S., R. 19 W., sec. 25, SLEM is noncompliance with 43 Code of Federal Regulations 3809.1-4, 3809.2-1 and 3809.3-2(a).

The site was inspected on July 27, 1993 by Larry Gore. It was determined there was approximately 8.1 acres of mining related disturbance on your claims. You were notified of this in the October 19, 1993 letter, and were asked to submit a Plan of Operations, or do reclamation. On November 15, you discussed the operation with Larry Gore, and reported you were not responsible for approximately 2.1 acres of the disturbance; but did accept responsibility for the remaining 6 acres of disturbance. You said you would submit a Plan of Operations by November 30, 1993. You have failed to do so.

Failure to complete reclamation to bring the disturbance below 5 acres or to file a Plan of Operations by January 14, 1994 will result in a record of noncompliance. BLM policy states that an operator who has established a record of noncompliance must file plans of operation for any work on BLM land (regardless of area) and must be bonded for the entire projected cost of reclamation. It is therefore to your advantage to complete this reclamation in a timely manner and avoid establishing a record of noncompliance.

You have the right to appeal this decision to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present, which would justify reversal or modification of the decision, must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

If you need further information concerning this notice, please contact Larry Gore, at the Dixie Resource Area office.

Sincerely,

Debbie J. Pietrzak
Area Manager

cc:U-921